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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
SPOKANE DIVISION**

**NORTH CASCADES CONSERVATION
COUNCIL,**

Plaintiff,

v.

**UNITED STATES FOREST SERVICE, a
federal agency of the United States Department of
Agriculture, and KRISTIN BAIL, in her official
capacity as Forest Supervisor, Okanogan-
Wenatchee National Forest, United States Forest
Service,**

Defendants.

Case No. 2:22-cv-00293

**DECLARATION OF RICHARD K.
BAILEY IN SUPPORT OF
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

I, Richard K. Bailey, declare as follows:

1. I am a member of Plaintiff North Cascades Conservation Council ("NCCC"). I have been a member of NCCC since 2017. I was appointed to the NCCC Board of Directors on January 29, 2023.
2. I serve as NCCC's official spokesperson on a select range of issues, particularly issues affecting the Methow River Watershed.

3. I personally, and for NCCC, monitor the processes and activities of the Okanogan-Wenatchee National Forest. NCCC relies on my monitoring to determine whether planned actions would positively or negatively impact NCCC's interests, mission, and obligation to its members respecting actions in the Methow Watershed, especially those in the Twisp River Watershed.

4. NCCC's mission is to protect and preserve the North Cascades' scenic, scientific, recreational, educational, and wilderness values. The 24,000-acre Twisp Restoration Project ("TRP") will have a direct and permanent impact on those same values that form the core of NCCC's purpose.

5. The TRP involves road construction and heavy logging operations that will alter the above values of the TRP project area by leaving stumps, slash piles, ground debris, erosive ruts from log skidding, and road incursions all over an area that currently exists in its natural or near-natural state. The TRP will involve removal of trees of all sizes, including medium and large trees, that are significant contributors to the TRP area's beauty and natural attributes.

6. The TRP will introduce industrial logging into a deeply interconnected landscape, much of which has never been impacted by commercial logging of this kind. I have personally viewed the rare and endemic plant species, unique ecosystems, and rare and endangered species that rely on the natural qualities of the TRP project area.

7. From 1980 to 1982, I worked for the United States Forest Service as an initial attack firefighter. I learned about fire behavior. Still to this day, I am deeply interested in the educational and scientific opportunities associated with wildfires. I am especially interested in the relationship between landscapes unaffected by wildfire that exist interconnected with landscapes altered by wildfire.

8. The TRP will increase motor traffic on newly built roads, impost noise and log truck traffic, and introduce heavy machinery to the area. All of these effects will greatly diminish the value for me and others of the TRP project area, parts of which have been

untouched by commercial logging, and the rest of which has been untouched by commercial logging for many years.

9. NCCC's other members and myself place huge value on the TRP project area's wilderness qualities that will be removed by the TRP. The Lookout Mountain area is just one example of a popular hiking destination within the TRP project area that I and NCCC's other members frequent.

10. I first visited the area in 1960, when my grandparents took me fishing on the Twisp River just west of Newby Creek, which is within the TRP project area. Over the past sixty-three years, and counting, I have hiked seven of the nine trails in the Twisp Watershed, which were part of the originally proposed 77,000-acre TRP and will be impacted by the forthcoming Midnight Project taking place on portions of the 53,000 acres segmented from the TRP with no opportunity for public comment.

11. In 2014, I decided to build my retirement home in the Methow Valley. I love the rural setting and surrounding public lands with their incredible forest and mountain scenery containing vast recreational opportunities. My home is in Winthrop, approximately twelve miles from the project area as the crow flies. Since building my home in Winthrop, I have taken no fewer than forty trips into the Twisp Watershed, several of which were directly in the TRP project area.

12. I will next embark into the TRP project area on August 7, 2023, for a camping and hiking excursion through the Lookout Mountain and Poorman Creek areas. Thanks to the use of "conditions-based management" in the TRP rather than specific explanations of planned logging, there is no telling how these areas will be affected by the TRP, so I am eager to spend time in the area before the TRP moves forward. I will camp alongside Poorman Creek, accessible via a scenic road that runs alongside the Lookout Mountain Timber Sale, part of the TRP. I plan to hike up Block Mountain.

13. I also have plans to explore the Newby Creek camping opportunities in the summer of 2024. I look forward to seeing more of the area where my grandparents first took me those years ago.

14. The ancient, primitive forest and wilderness on and around Lookout Mountain is mostly unknown to non-locals. The solitude it offers is special and deeply important to me and NCCC's other members. You cannot find this kind of quiet isolation on the more popular trails and camping areas in the Methow Watershed. The TRP will permanently change this for the worse by introducing new roads, post-project ATV traffic, and destroying the interconnectivity of the ecosystem.

15. On a personal level, I feel the TRP subjects the unique ecological condition of the TRP project area to a forestry experiment lacking scientific justification. There is nothing unnatural, as the TRP Environmental Assessment claims, about the forest in the project area. The TRP will only serve to diminish the entire Twisp Watershed's social and ecological values, values which I have enjoyed for over sixty years and will enjoy again in the very near future as much as I can, while it lasts.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and subject to penalty for perjury.

DATED this 7th day of July, 2023.

By: s/ **Richard K. Bailey**
Richard K. Bailey

CERTIFICATE OF SERVICE

I certify that on July 7, 2023, I served or caused to be served a true and complete copy of the foregoing **DECLARATION OF RICHARD K. BAILEY** on the party or parties listed below as follows:

- ☒ Via CM / ECF Filing
- ☐ Via First Class Mail, Postage Prepaid
- ☐ Via Email
- ☐ Via Personal Delivery

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